

October 16, 2009

Mr. James Wasilak
Chief Of Planning
City of Rockville
111 Maryland Avenue
Rockville, MD 20852

Re: Congressional North – 1471 Rockville Pike; Site Plan Application

Dear Mr. Wasilak:

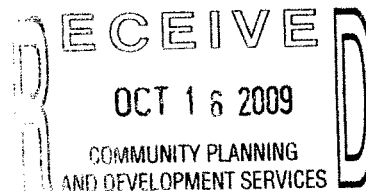
This letter shall serve as the project narrative for the attached Site Plan Application. As discussed in our meeting of October 14, 2009, we are seeking approval to amend the Use Permit Amendment Application USA1995-0554D that was approved with conditions by the Planning Commission on July 22, 2009, by modifying the use of the building to office from retail/restaurant. There is no change in the footprint of the building, it is remaining approximately 8,110 square feet with 3,400 square feet of cellar, which includes 609 square feet of mechanical rooms, in the same location (the "Modification")¹. As discussed below, this Modification will cause limited disruption to the remainder of the Property, will decrease the overall footprint of the existing building and terrace and will not substantially deviate from the recently approved Use Permit Amendment. We therefore request that the Application be handled as an administrative amendment of the Site Plan ("Level 1").

As noted in our meeting, the proposed structure will not increase the approved footprint of the proposed retail/restaurant building except to add 609 square feet of mechanical space within a 3,400 square foot cellar. This alternative Use will reduce traffic impact and parking demand, and does not significantly alter the impacted area. Displaced trees and landscaping will be slightly reconfigured, but replaced in total in the vicinity of the new structure. The new building will be architecturally compatible with the remainder of the Congressional North Shopping Center, as shown on the elevations included herewith, will be approximately the same height as the existing former Circuit City location on the Property.

Pursuant to the previously approved Use Permit Amendment USA1995-0554D, we request approval of a change of use for this building by the Director of Planning, as this change of use from retail/restaurant to office will not (1) affect adversely the health or safety of persons residing or working in the neighborhood, (2) be detrimental to the public welfare or injurious to property or improvements in the neighborhood, (3) overburden existing and programmed public facilities, and (4) constitute a violation of any provision of the Zoning Ordinance or other

¹ Excluding mechanical rooms, the square footage for the cellar is 2,791 square feet.

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applicable law. As stated above, the Modification will have only a minor effect on a limited portion of the Property, will make the improvements on the Property more architecturally compatible and will not generate any additional traffic on area roads or have any negative impact on other public facilities. Therefore, the Modification will not have any adverse effect on the health or safety of persons residing or working in the neighborhood, nor will it be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

In support of this Application, the following materials have been submitted:

1. August 17, 2009, letter of approval from the City of Rockville for Use Permit Amendment USA1995-0554D
2. Application form
3. Detailed Site Development Plan – 15 copies
4. Preliminary Building Elevations and Floor Plans – 3 copies
5. Comprehensive Transportation Review
6. Landscape Plan – 6 copies
7. Stormwater Management Concept letter – included in approval letter from City dated August 17, 2009 (Item 1)
8. Historic Significance Evaluation of Property for Demolition – previously submitted to the Historic Preservation Office on 9/29/09

Additionally, we want to advise the City that it is our intension that this building will be built to qualify as a LEED Certified building through the U.S. Green Building Council upon its completion.

Thank you for your consideration of this Application. If you have any questions or concerns, or require any additional information, please feel free to contact me. Your expeditious attention to this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric L. Siegel". The signature is fluid and cursive, with a large, sweeping "S" at the end.

Eric L. Siegel
Executive Vice President

Enclosures

cc: Margaret Hall
Ronald Cohen
William Joyce
Erin E. Girard, Esq.